

YAVAPAI COUNTY ATTORNEY'S OFFICE
JEFFREY G. PAUPORE SBN 007769
DEPUTY COUNTY ATTORNEY
255 East Gurley Street
Prescott, AZ 86301
Telephone: 928-771-3344
ycao@co.yavapai.az.us

RECEIVED
NIGHT DEPOSITORY

2010 AUG -9 PM 2:30 ✓

FILED

B. Chamberlain

DEPUTY CLERK

IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

MOTION TO COMPEL DISCLOSURE
OF DEFENSE INTERVIEW OF STATE'S
WITNESS KAREN GERE

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby requests the Court order defense counsel to disclose to the State any audio recording or written document, such as a transcript if one was created, of the defense interview with State's witness, Karen Gere.

Under the fairness of the discovery rules it is only proper that the defense disclose these items. The defense, without any notice to the State whatsoever, circumvented the normal procedures of the interview process by contacting the State's witness directly. The State learned the interview had taken place just last week when the State invited the defense team to take part in an interview with Ms. Gere. The defense declined. The State then learned the witness had already been interviewed by the defense team's investigator. When the State

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

1 requested a copy of any recording, the defense flatly refused to comply. The State has the right
2 to know what the defense and Ms. Gere talked about.

3 This is not the first time the defense has contacted a State's witness in secret. The
4 defense also secretly met with Jana Johnson, a key witness for the State. In fact, the defense
5 visited Mrs. Johnson twice, both times without informing the State beforehand that the
6 interviews were taking place. Because the defense team has flatly refused the common
7 courtesy of providing the State with a copy of any audio recording of the Gere interview, the
8 State respectfully requests this Court order the defense to provide to the State a copy of any
9 recording made as well as any transcript that may made from such recordings.

10 RESPECTFULLY SUBMITTED this 9th August, 2010.

11
12
13
14 Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

15
16 By: [Signature]
Jeffrey G. Paurpore
17 Deputy County Attorney
18

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

COPIES of the foregoing delivered this
9th day of August, 2010 to:

Honorable Warren R. Darrow
Division 6
Yavapai County Superior Court
(via email)

John Sears
511 E. Gurley St.
Prescott, AZ 86301
Attorney for Defendant
(via email)

Larry Hammond
Anne Chapman
Osborn Maledon, P.A.
2929 North Central Ave, 21st Floor
Phoenix, AZ
Attorney for Defendant
(via email)

By: Web Couell